REMARKS

I. Office Action Summary

Claims 1-7, and 9-22 are pending. Claims 1, 12, 15, 16, and 22 are the independent claims. In the Office Action mailed October 1, 2008, Examiner rejected the following claims in the following combinations as obvious under 35 U.S.C. §103(a):

Claims	Examiner-cited Reference Combination
1-7, 10-14, and 22	Islam et al. (U.S. 2003/0035430), Vairavan (U.S. 2002/0083344), and Jain et al. (U.S. 6,324,575)
9	Islam et al. (U.S. 2003/0035430), Vairavan (U.S. 2002/0083344), Wilson (4,292,465), and Jain et al. (U.S. 6,324,575)
15	Islam et al. (U.S. 2003/0035430), Webb et al. (U.S. 2002/0120741), and Jain et al. (U.S. 6,324,575)
16-21	Webb et al. (U.S. 2002/0120741), Vairavan (U.S. 2002/0083344), Van Horne et al. (U.S. 5,987,430), and Jain et al. (U.S. 6,324,575)

New dependent Claim 23 has been added, and new independent Claim 24 has been added. No new matter was added as a result. Claim 8 has been previously canceled.

II. Rejections Under 35 U.S.C. § 103(a)

A. Rejection of Claims 1-7 and 10-11 based on Islam et al. (U.S. 2003/0035430), Vairavan (U.S. 2002/0083344), and Jain et al. (U.S. 6,324,575)

Jain et al. was cited in the rejection of independent Claim 1 as unpatentable under 35 U.S.C. § 103(a). In the Office Action, it was asserted that Jain et al. teaches the following limitation of Claim 1:

> "wherein applying the content analysis algorithm comprises applying a first content analysis algorithm to a first port of the plurality of ports and applying a second content analysis algorithm to a second port of the plurality of ports, wherein the second content analysis algorithm is different than the first content analysis algorithm"

Applicant agrees with Examiner that the combination of Islam et al. and Vairavan does not disclose this limitation. Applicant respectfully disagrees that Jain et al. discloses a first content analysis algorithm and a second content analysis algorithm. Rather, Jain et al. discloses enabling/disabling a single protocol analysis algorithm that filters multicast packets, thus preventing their transmission to unregistered group clients. The Office Action is confusing applying a first data content analysis algorithm and applying a second data content analysis algorithm, as claimed, with a first option to apply a filter and a second option not to apply a filter to the data at all, as disclosed in Jain et al. Applicant respectfully submits that disclosing an option to disable a filter is not the same as disclosing the application of a second content analysis algorithm to unanalyzed data.

The single filter disclosed in Jain et al. blocks the transmission of multicast packets to clients that have not registered to a port through the IEEE 802.1p Group Multicast Registration Protocol. Jain et al. Col. 8, ll. 44-57 explains that when the single filter – the "Filter Unregistered Groups" mode – is enabled, legacy clients incapable of registering to a port through the IEEE 802.1p Group Multicast Registration Protocol will not receive multicast packets. When this filter is disabled – by setting the port to "Forward All Groups" mode – multicast packets are not filtered, but rather, are forwarded to all clients in communication with the port, regardless of a client's capability to register to the port through the IEEE 802.1p Group Multicast Registration Protocol. Thus, in Jain et al., a first port may have the single filter enabled, and the second port may have the single filter disabled. Enabling and disabling a single filtering algorithm is not the same as applying different content analysis algorithms at a first port and a second port.

Furthermore, the single filter disclosed by Jain et al. is a protocol analysis algorithm and not the claimed content analysis algorithm. Sections 7.12 and 10.1 of the IEEE 802.1d (formerly 802.1p) specification state that multicast packets are identified by the use of one or more reserved 48 bit MAC addresses,

For at least these reasons, Applicant respectfully submits that Jain et al. does not teach this limitation of Claim 1, and thus, this claim is allowable over the art of record. Claims 2-7 and 10-11 are dependent claims, and therefore their allowability directly follows from the allowability of independent Claim 1. Reconsideration is requested.

B. Rejection of Claim 9 based on Islam et al. (U.S. 2003/0035430), Vairavan (U.S. 2002/0083344), Wilson (4,292,465), and Jain et al. (U.S. 6,324,575)

Jain et al. was cited in the rejection of dependent Claim 9 as unpatentable under 35 U.S.C. § 103(a). Claim 9 is dependent on independent Claim 1. In the Office Action, it was asserted that Jain et al. teaches the following limitation of Claim 1:

> "wherein applying the content analysis algorithm comprises applying a first content analysis algorithm to a first port of the plurality of ports and applying a second content analysis algorithm to a second port of the plurality of ports, wherein the second content analysis algorithm is different than the first content analysis algorithm"

Applicant agrees with Examiner that the combination of Islam et al. and Vairavan does not disclose this limitation. Applicant respectfully disagrees that Jain et al. discloses a first content analysis algorithm and a second content analysis algorithm for the same reasons detailed in Section II-A. Claim 9 is a dependent claim, and therefore its allowability directly follows from the allowability of independent Claim 1. In the Office Action, Wilson was cited in the rejection of Claim 9. Applicant respectfully maintains that Wilson, which teaches a distributed processing telex switch, does not disclose applying different content analysis functions at a first port and a second port. Because none of the cited references disclose at least this limitation, reconsideration is requested.

C. Rejection of Claims 12-14 based on Islam et al. (U.S. 2003/0035430), Vairavan (U.S. 2002/0083344), and Jain et al. (U.S. 6,324,575)

Jain et al. was cited in the rejection of independent Claim 12 as unpatentable under 35 U.S.C. § 103(a). In the Office Action, it was asserted that Jain et al. teaches the following limitation of Claim 12:

> " to implement at least two content analysis functions and to cause the switch to scan and apply a first content analysis function to a first selected port of the plurality of ports and scan and apply a second content analysis - function to a second selected port of the plurality of ports, wherein the second content analysis function is different than the first content analysis function"

Applicant agrees with Examiner that the combination of Islam et al. and Vairavan does not disclose this limitation. Applicant respectfully disagrees that Jain et al. discloses a first content analysis algorithm and a second content analysis algorithm for the same reasons detailed in Section II-A. As explained in Section II-A, Jain et al. discloses enabling/disabling the same protocol analysis algorithm at each port. In contrast, Claim 12 teaches applying different content analysis functions at a first port and a second port. Further, the single filter disclosed by Jain et al. is a protocol analysis algorithm that identifies multicast packets by detecting of one or more reserved 48 bit MAC addresses. In contrast, Claim 12 teaches the application of content analysis functions.

For at least these reasons, Applicant respectfully submits that Jain et al. does not teach this limitation of Claim 12, and thus, this claim is allowable over the art of record. Claims 13-14 are dependent claims, and therefore their allowability directly follows from the allowability of independent Claim 12. Reconsideration is requested.

D. Rejection of Claim 15 based on Islam et al. (U.S. 2003/0035430), Webb et al. (U.S. 2002/0120741), and Jain et al. (U.S. 6,324,575)

Jain et al. was cited in the rejection of independent Claim 15 as unpatentable under 35 U.S.C. § 103(a). In the Office Action, it was asserted that Jain et al. teaches the following limitation of Claim 15:

> "applying the first content analysis application to a first port of the plurality of ports and applying the second content analysis application to a second port of the plurality of ports, wherein the second content analysis application is different than the first content analysis application"

Applicant agrees with Examiner that the combination of Islam et al. and Webb et al. does not disclose this limitation. Applicant respectfully disagrees that Jain et al. discloses a first content analysis algorithm and a second content analysis algorithm for the same reasons detailed in Section II-A. As explained in Section II-A, Jain et al. discloses enabling/disabling the same protocol analysis algorithm at each port. In contrast, Claim 15 teaches applying different content analysis applications at a first port and a second port. Moreover, the single filter disclosed by Jain et al. is a protocol analysis application that identifies multicast packets by detecting of one or more reserved 48 bit MAC addresses. In contrast, Claim 15 teaches the application of content analysis applications.

For at least these reasons, Applicant respectfully submits that Jain et al. does not teach this limitation of Claim 15, and thus, this claim is allowable over the art of record. Reconsideration is requested.

E. Rejection of Claims 16-21 based on Webb et al. (U.S. 2002/0120741), Vairavan (U.S. 2002/0083344), Van Horne et al. (U.S. 5,987,430), and Jain et al. (U.S. 6,324,575)

Jain et al. was cited in the rejection of independent Claim 16 as unpatentable under 35 U.S.C. § 103(a). In the Office Action, it was asserted that Jain et al. teaches the following limitation of Claim 16:

> "wherein a first application buffer contains logic for applying a first content analysis algorithm to a first port of the plurality of ports and a second application buffer contains logic for applying a second content analysis algorithm to a second port of the plurality of ports, wherein the second content analysis algorithm is different than the first content analysis algorithm"

Applicant agrees with Examiner that the combination of Webb et al., Vairavan, and Van Horne et al. does not disclose this limitation. Applicant respectfully disagrees that Jain et al. discloses a first content analysis algorithm and a second content analysis algorithm for the same reasons detailed in Section II-A. As explained in Section II-A, Jain et al. discloses enabling/disabling the same protocol analysis algorithm at each port. In contrast, Claim 16 teaches applying different content analysis algorithms at a first port and a second port. Moreover, the single filter disclosed by Jain et al. is a protocol analysis algorithm that identifies multicast packets by detecting of one or more reserved 48 bit MAC addresses. In contrast, Claim 16 teaches the application of content analysis algorithms.

For at least these reasons, Applicant respectfully submits that Jain et al. does not teach this limitation of Claim 16, and thus, this claim is allowable over the art of record. Claims 17-21 are dependent claims, and therefore their allowability directly follows from the allowability of independent Claim 16. Reconsideration is requested.

F. Rejection of Claim 22 based on Webb et al. (U.S. 2002/0120741), Vairavan (U.S. 2002/0083344), Van Horne et al. (U.S. 5,987,430), and Jain et al. (U.S. 6,324,575)

Jain et al. was cited in the rejection of independent Claim 22 as unpatentable under 35 U.S.C. § 103(a). In the Office Action, it was asserted that Jain et al. teaches the following limitation of Claim 22:

> "wherein applying the content analysis algorithm comprises applying a first content analysis algorithm to a first port of the plurality of ports and applying a second content analysis algorithm to a second port of the plurality of ports, wherein the second content analysis algorithm is different than the first content analysis algorithm"

Applicant agrees with Examiner that the combination of Islam et al. and Vairavan does not disclose this limitation. Applicant respectfully disagrees that Jain et al. discloses a first content analysis algorithm and a second content analysis algorithm for the same reasons detailed in Section II-A. As explained in Section II-A, Jain et al. discloses enabling/disabling the same protocol analysis algorithm at each port. In contrast, Claim 22 teaches applying different content analysis algorithms at a first port and a second port. Moreover, that the single filter disclosed by Jain et al. is a protocol analysis algorithm that identifies multicast packets by detecting of one or more reserved 48 bit MAC addresses. In contrast, Claim 22 teaches the application of content analysis algorithms.

For at least these reasons, Applicant respectfully submits that Jain et al. does not teach this limitation of Claim 22, and thus, this claim is allowable over the art of record. Reconsideration is requested.

III. New Claims 23 and 24

Applicant has added dependent Claim 23 and independent Claim 24 in this Amendment. Claim 23 teaches that the first and second content analysis algorithms are data content analysis algorithms. Claim 23 is dependent on independent Claim 22. Therefore its allowability directly follows from the allowability of independent Claim 22.

Claim 24 teaches the application of a first content analysis algorithm at a first port, and a second content analysis algorithm at a second port, where the content analysis algorithms differ from one another. In contrast, Jain et al., teaches a single content analysis algorithm that is enabled or disabled at each port. As explained above, Applicant submits that Jain et al. discloses two modes that are merely the enabling and disabling of a single multicast packet filter algorithm compliant with the IEEE 802.1p Group Multicast Registration Protocol. The second mode - "Forward All Groups", is not a second content analysis algorithm, because it does not act on the data content. Instead, all multicast packets are forwarded to all clients in communication with the port, regardless of a client's capability to register to the port through the IEEE 802.1p Group Multicast Registration Protocol.

Further, Claim 24 teaches a data content analysis algorithm. This further distinguishes over Jain et al., which does not disclose a data content analysis algorithm. No new matter has been added. Support for Claims 23 and 24 may be found in at least paragraph 29 of the specification. Applicant respectfully submits that these claims are allowable over the art of record.

VI. Conclusion

Applicant submits that this application is in condition for allowance. A Notice of Allowance is respectfully solicited. It should be noted that while the above remarks have focused only on certain elements of the independent claims, other elements of the independent claims (and the dependent claims) provide additional grounds of patentability. Applicant reserves the right to present arguments concerning these additional grounds at a later time, if necessary.

Respectfully submitted,

Kevin J. Patariu
Registration No. 63,210
Attorney for Applicant

BRINKS HOFER GILSON & LIONE
P.O. BOX 10395
CHICAGO, ILLINOIS 60610
(312) 321-4200